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IN CLERKS OFFICE

Honorable District Judge George O'Toole Jr.
 John Joseph Moakley
 1 Courthouse Way Suite 2300
 Boston Mass 02210

2023 JAN 10 PM '23 42

January 10, 2023

Dear Judge O'Toole,

My name is Faith Newton. I am the defendant in case number ***1:21CR.10035-GAO***. **Today is the seven hundred and ten (710th) day of my unlawful detention.** A dispositive pro-se motion that requires the dismissal of my indictment as a matter of law has been before you since May 2022. Several other dispositive motions remain pending. **The delay caused by your failure and refusal to rule has resulted in an unnecessary eight (8) month extension in my unlawful detention.** ***Justice delayed is justice denied.*** The arc of justice is longer than any delay that can possibly be imposed. It is not possible to delay this court of its requirement to disclose the truth.

Judge O'Toole, you have the ability to end this injustice and I am asking you to uphold the law and your oath of office and rule on the motions before you and enforce the rule of law. No amount of delay will change the human, civil, and constitutional rights violations against me that have already occurred, but your action now to uphold the rule of law can prevent further injustice and can begin the time of healing for me and my family. The beginning of the end is now, not tomorrow, not next week, not next month, not next year, but **NOW**.

The circumstances resulting in my unlawful detention are unconscionable. I again implore you to act today to end this injustice. **A review of the detention order on my docket that was electronically signed by you on July 8, 2021 is an obvious example of unreasonable bias, obvious prejudice and unlawful discrimination based on national origin.** Your avoidance of providing an actual pen-inked signature and a formal court seal indicates that you know the statements are wrongful and likely speak to your state of mind and hopes of plausible deniability. An illegitimate and/or fraudulent judicial order that has resulted in two years of unlawful imprisonment to date is not better than a legitimate one that is discriminatory. The outcome is the same. The illegitimate nature of the detention order, and all judicial orders on my docket for that matter, simply point to the egregious nature of the fraud being perpetrated using this court as an instrument and accessory

to the commission of a criminal act. The violent rape of Lady Justice that continues to occur in this case cannot and will not be ignored any longer. I implore you to act to correct this injustice in an attempt to restore some legitimacy to this court.

AUSA Hemani on February 4th, 2021 stated in open court during a detention hearing before Magistrate Kelley that Arbor Homecare Services LLC was a home healthcare agency that “*was closed when MassHealth was closing Kenyan owed healthcare agencies.*” The obvious discriminatory nature of this statement is diminished only by the reprehensible idea that what she stated might, in fact, be true and further indicates that a State Agency (e.g. MassHealth) targeted the closure of businesses based on ownership by Kenyan born nationals. Either way, the statements made by AUSA Hemani are extremely troubling. **Discrimination of any kind has no place in either the Executive Branch of state or federal government or an American court room.** Many Kenyan owned and minority owned home care business have been recently and shamefully fined and/ or closed by the State and/or the government. Many of these businesses have been targeted for closure simply based on race and/or ethnicity of the owner. To be clear, I am a nationalized American Citizen. I would argue that I am more American in my closely held ideals than those American born who would carry out such violations based on racial and ethnic discrimination.

The discomfort that this letter may bring to your conscience pales by comparison to the discomfort that your actions and inactions have caused for me and my family. Please stop your participation in these wrongful and illegal acts. I am not asking for any favors. I am asking you to abide by the oath of office that you swore to when you became a federal district judge, and enforce equal protection under the law for all American citizens and all on American soil. America is “*one nation under God.*” Do you think that God would look favorably upon these actions? Do you think that God refuses entry to heaven for his people who happen to be born in Kenya? If not, then what right have you to deny me my Human rights, Civil rights and Constitution rights under American law?

You have allowed the illegal pretrial restraint of ALL of my cash and assets for two years knowing that my charges do not allow the pretrial freezing of assets in my case. Worse, this court has fully participated in the perpetuation of a fraudulent indictment and fictitious prosecution of knowingly erroneous criminal charges. This ruse has denied my children their right to education

because their college funds were frozen due to reprehensible conduct of the government, unethical attorneys and corrupt judiciary. This Court's failure to uphold the rule of law is directly responsible for allowing the perpetration of this massive fraud. My minor daughter could not report to school because of an inability to pay tuition due to the freezing of her college funds. My son could not complete his final two years of college to earn his degree because the government is attempting to steal his tuition funds through an unlawful forfeiture and illegal pretrial restraint.

You have allowed the government to continue with these unlawful actions by continuously entertaining their use of erroneous statutes (i.e. 18 U.S.C.S. 1961, 21 U.S.C. 853) that do not apply to my case in order to carry out their theft. The government moved for an *ex parte* pretrial restraining order using forfeiture statutes that apply only to RICO and Controlled Substances cases. You allowed this by issuing an electronically signed restraining order that has been in place for two years, despite its illegality and expiration. All of this taking place without so much as a hearing, in violation of my constitutional right to due process. I have repeatedly notified this court in writing of the unlawful conspiracy between AUSA Hemani, my prior defense counsel Brad Bailey, and Magistrate Judge Kelley. Your continued failure to act gives me cause to believe that you may, in fact, be complicit in this unlawful conspiracy. I can only pray that I am wrong.

The government has made a mockery of this court and has engaged in fraud by making this court an accessory to its criminal acts. Your failure to uphold the rule of law has allowed this to take place. What is happening to me is un-American and embarrassing to those of us who believe in freedom, justice, and democracy.

Denying my children their college funds by an intentional misuse of the law to steal, is to deny the next generation of their right to life, liberty, and the pursuit of happiness by rendering them victims of greed and bigotry. This injustice leads to generational damages that cannot be remedied. You have the ability to change the course of this abusive use of power that is so detrimental and contrary to American democracy. Racism, greed, and misogyny will not endure and all who participate in its perpetuation will be held accountable and made to answer for the irreparable harm and irreversible trauma that they have caused. As a Federal District Judge, you know that no one is above the law. I again implore you to act to end this injustice. No amount of delay or time will change what I have come to know about my circumstances. One cannot delay the inevitable forever and God will ensure that such evil will not go unanswered.

I was kidnapped from the airport without proper legal authority contrary to the rule of law. Because those involved in the unlawful arrest were/are aware of the fraudulent nature of the charges, I was not mirandized. Having been denied my Fifth and Sixth Amendment rights, my statements (i.e. "*I should have stayed in Europe*") were then unlawfully used against me during a detention hearing on June 24, 2021. The gross circumstances under which I was wrongfully detained and warehoused are egregious violations of law. Nevertheless, two years later, I remain hostage and unlawfully imprisoned in a maximum security detention center, held captive by the exact system that is responsible for ensuring that the innocent do not suffer. That same rule requires that the guilty do not go unpunished. Who will answer for what I have endured?

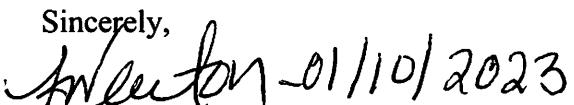
I was effectually denied my right to vote on several occasions under the color of law.
 This egregious violation of my civil and constitutional rights cannot be remedied. While mainstream media continues to discuss lies about a "stolen election," what media outlet will raise awareness of my stolen right to vote? No amount of reparations can return the time that I have been forced to be away from my family. Nothing can undo the basic rights that have been denied me. The psychological trauma caused by these heinous acts will endure long beyond the duration of my unlawful imprisonment. I draw upon whatever is left of your humanity to ensure that such irreparable harm does not come to any other.

My liberty is dependent upon you. God is calling on you to take action. The discomfort of conscience is His motivator. Please do not ignore His call for you to do what is "just" and take immediate action in this case. Thank you for taking time to read this letter and for your careful consideration.

CC via Doc. 1:21cr. 10035-

- 1) George W. Vien
- 2) Michael R. Pascucci
- 3) David Kete
- 4) Nathaniel R.B. Koslof.

The innocent are not afraid of the law.

Sincerely,

 Faith Newton